

Panaji, 8th May, 2020 (Vaisakha 18, 1942)

SERIES II No. 6

OFFICIAL GAZETTE



GOVERNMENT OF GOA

PUBLISHED BY AUTHORITY

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Labour

Inspectorate of Factories and Boilers

Order

No. CIF/092(Part-2)/S-II/IFB/2020/191

Whereas, in the wake of the current crisis on account of COVID-19 pandemic, there are restrictions on movement of workers leading to shortage of worker thereby causing the factories to deal with an exceptional press of work.

And whereas, in order to enable the factories to deal with said exceptional press of work in view of said crisis, there is a need for relaxing certain provisions of The Factories Act, 1948 (Central Act No. 63 of 1948) (hereinafter called the "said Act") thereby extending the working hours for optimum utilization of the workers in the factories which have been allowed to operate under the guidelines issued by the Ministry of Home Affairs, Government of India and the Government of Goa from time to time.

Now therefore, in light of the above and in exercise of the powers conferred by sub-section (2) of Section 65 of the said Act, the Government of Goa hereby exempts all of the adult workers working in all of the factories situated in the State of Goa, who are not holding positions of supervision or management and/or not employed in a confidential position within the meaning of sub-section (1) of Section 64 of the said Act, from the provisions of Sections 51, 52, 54 and 56 of the said Act, for a period upto 31st July, 2020 with effect from the date of publication of this Order in the Official Gazette, subject to the following conditions, namely:-

- i) the total number of hours of work in any day shall not exceed twelve;
- ii) the spread over, inclusive of intervals for rest, shall not exceed thirteen hours in any one day;
- iii) the total number of hours of work in any week, including overtime, shall not exceed sixty;
- iv) no worker shall be allowed to work overtime, for more than seven days at a stretch and the total number of hours of overtime work in any quarter shall not exceed seventy five;

- v) no worker shall work for more than five hours before he has had an interval for rest of atleast half an hour;
- vi) where a worker works in a factory for more than forty-eight hours in any week, he shall, in respect of overtime work, be entitled to wages at the rate of twice his ordinary rate of wages in accordance with the provisions prescribed under Section 59 of the said Act;
- vii) if a worker is required to work on weekly holiday(s), he shall be allowed to avail compensatory holiday(s) for having worked on weekly holiday(s), within the month in which the holidays were due to him or within the two months immediately following that month in accordance with the provisions prescribed under Section 53 of the said Act;
- viii) the instructions issued by the Ministry of Home Affairs, Government of India and the Government of Goa from time to time regarding COVID-19 pertaining to social distancing, sanitization, etc. shall be strictly followed.

By order and in the name of the Governor of Goa.

Vivek P. Marathe, Chief Inspector & ex officio Joint Secretary (Factories and Boilers).

Altinho, Panaji, 7th May, 2020.

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Printed and Published by the Director, Printing & Stationery,
Government Printing Press,
Mahatma Gandhi Road, Panaji-Goa 403 001.

PRICE – Rs. 2.00

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—39/160—5/2020.